

לעילוי נשמת
מרת עקא עדנה
צפורה ע"ה וסורטל
בת משה מנחם הלוי ז"ל



על פני אדם

AL EI DESHE

Weekly Torah Insights and inspiration on the Parsha from the Rosh Yeshiva Shlit"a of Gur

The Face of Man

גדלים תעשה לך על ארבע כנפות כסותך
אשר תכסה בה.

You shall make for yourself twisted threads on the four corners of your garment with which you cover yourself (Devarim 22:12).

The pasuk (Bamidbar 15:39) tells us that gazing at *tzitzis* carries a *segulah* to

A person who commits serious aveiros has the body of an animal. But if in his mind he has a strong desire to better himself and act as a person, his face is that of a person.

ויראיכם אתו וזאת ה'—*and you may see it (tzitzis), and you will remember all the mitzvos of Hashem.*

The Gemara (*Menachos* 44a) tells of a man who was deeply mired in sin. At one point, in the middle of a particular sin, by *siyata*

d'Shmaya, his *tzitzis* hit him in the face. He remembered Hashem, overcame his *yetzer hara*, and withstood his *nisayon*.

From the pasuk, it would seem that gazing at *tzitzis* alone is what saves from sin. The halachah is that we must gaze at our *tzitzis* during *Krias Shema*; nothing is mentioned about having the *tzitzis* hit us in the face.¹ Why does the Gemara emphasize that the *tzitzis* hit this person in the face?

The Yerushalmi (*Niddah* 3:2) teaches that a person with the body of an animal and the face of a man is considered a person. Even if he is hitched to the plow, and plowing fields like an animal, we fetch him to do *chalitzah* or *yibum* with his brother's widow. In the opposite case—if somebody has the face of an animal and the body of a human—he is an animal. Even if he is in the midst of reading from the Torah, we send him to be slaughtered.

Why does the Yerushalmi choose the examples of *yibum* and *chalitzah*, and being sent to slaughter? Additionally, a woman would certainly not want to marry a person who has the body of an animal. Since we never force a woman to do *yibum* (*Yevamos*

Acquisition of a Get

וכתב לה ספר כריתת ונתן בידה ושלחה מביתו.

He wrote her a bill of divorce, and he placed it in her hand, and he sent her from his home (24:1).

When two people perform an acquisition using *chalipin* (in this case, the buyer gives the seller a cloth; with the seller's acquisition of the cloth, the buyer acquires an item in return), the Gemara (*Bava Metzia* 7a) teaches that the seller does not have to take the cloth in its entirety from the buyer. As long as the seller grasps a portion of the garment (that is at least three by three finger widths), even if the buyer is holding the rest, the acquisition is valid.

This is true of all *kinyanim* besides for the acquisition of a *get*. When a man divorces his wife, he must give her the *get* and she must accept it with a *kinyan*. The Gemara (*Gittin* 88b) says that when the husband hands the *get* to his wife, he may not retain any part of the *get*. Even if the husband is only holding a string which is hanging from the *get*, if he is able to pull the *get* out of the woman's hand and back to himself, the divorce is invalid.

The *Chiddushei HaRim*³ writes that if the husband holds a string which is only strong enough to pull the *get* from the woman's hand, but is not strong enough for the husband to pull the *get* and

1 See O.C. 8:11; 24:4.

3 *Kiddushin* 48a. s.v. *amnam*.

The Face of Man

cont. from page 1

4a), there would not be *yibum* in this case. Why did the Yerushalmi choose to illustrate the point with such an impossible case?

Perhaps the Yerushalmi is alluding to the first case of *yibum* mentioned in the Torah (Bereishis 38). Yehudah's son Er sinned and died. The second son, Onan, married Tamar, as *yibum*, intending to rectify his brother's sin. But he made the same mistake as his brother; he acted as an animal instead of a person.

A person who commits serious *aveiros* has the body of an animal. But if in his mind he has a strong desire to better himself and act as a person, his face is that of a person. Even while he is heavily involved with animal pursuits, we will call him to do *yibum*. *Yibum* is a way of building and fixing the past, just as the first *yibum* of Onan was intended to rectify his brother's sin. A person who has his head set on rectifying his past behavior is fit to do *yibum*.

On the other hand, a person whose mind is constantly involved in sin—even while his body does *mitzvos*, even while he is reading from the Torah, he is considered an animal. Although learning Torah is a great mitzvah, there are sins which push the Torah out. מה וְלִרְשָׁע אָמַר אֱלֹקִים—*To the rasha Hashem said, "To what purpose do you recount My laws?"* (Tehillim 50:16). A person who fills his mind and heart with *aveiros* cannot come to learn Torah; he is sent to the slaughter as an animal. As Chazal say (*Maseches Kallah*), People who do serious *aveiros*, busying themselves

with repulsive things, are punished by being slaughtered like animals.

In the Gemara's story, the person was hit in the face with his *tzitzis*. This showed him that although he had done many indecent *aveiros*, he could repair himself by making his face the face of a man. If he looks forward and puts his mind to bettering himself, he is no longer an animal; he gains the status of a person.

וְהָיָה אִם בֵּן הַכּוֹת הָרָשָׁע... אַרְבָּעִים יַכְנוּ—*It shall be, if the rasha is obligated to receive lashes... he shall strike him forty times* (Devarim 25:2-3). My father explained that the forty *malkos* allude to the forty days of *teshuvah* from Rosh Chodesh Elul through Yom Kippur. The Baal HaTurim notes that the word of בֵּן הַכּוֹת הָרָשָׁע has a *chirik* under the *beis*, which connects it to the word *binah*—wisdom.

Chazal say² לְחַכְמָא בְּרִמְיָא וּלְשִׁטָּא בְּכוֹרְמִיָּא—*For a wise person with a hint, and for a foolish person with a fist*. A foolish person only understands the physical. He will not think of changing his ways and doing *teshuvah* until he receives a blow. A wise man does not need a physical blow; all he needs is a hint that he is on the wrong path.

Our *binah* to do *teshuvah* should come from אַרְבָּעִים יַכְנוּ. We should do *teshuvah* because we recognize the message of the forty days of Elul; it should not be necessary for us to receive blows.

וְרָדְפָה אֶת מֵאֲהָבֶיהָ וְלֹא תִשָּׁג אֹתָם וּבִקְשָׁתָם וְלֹא תִמָּצֵא וְאִמְרָה אֵלֶיהָ וְאִשׁוּבָה אֶל אִישִׁי הָרִאשׁוֹן כִּי טוֹב לִי אִזְ מִכֶּתֶה—*And she chases her lovers and she does not reach them, and she seeks them but she will not find them, and she says, "I will go and return to my first husband, for it was better for me then than now"* (Hoshea 2:9).

The Gemara (*Berachos* 7a) learns from this pasuk that a single regret in a person's heart is more effective in inspiring him to *teshuvah* than many lashes. When we realize that we had it better when we listened to Hashem, we will inevitably want to do *teshuvah*.

A person can hear *mussar* with his ears, he can ask forgiveness with his mouth; he can *klap Selach Lanu* and say *Selichos* and *Vidui*, but the main thing is for our hearts to understand to do *teshuvah*. אִם בֵּן הַכּוֹת הָרָשָׁע means that if a *rasha* has understanding, there is hope he will mend his ways.

(סעודה שלישית כי תצא תשפ"ד מאמר ב')

2 Midrash Mishlei 22.

Acquisition of a Get

cont. from page 1

regain possession (i.e. it would come out of the woman's hand and fall on the ground), the divorce is valid. He derives this from the Gemara which says that if the husband can pull the *get* out of the woman's hand and bring it back to himself, the divorce is invalid. This implies that if he can pull it out of the woman's hand, but not bring it to himself, the divorce is valid.

If the husband can pull away the *get*, what difference is there whether he can pull it out of his wife's hand, or if he can pull it all the way and regain possession? Once the woman grasps the *get*, she has made a proper *kinyan*. This *kinyan* should be valid just as it would be in a different application. The problem with the divorce relates to an altogether separate halachah that the husband may not retain any connection with the woman—it must be a *kerisus*. If the husband is able to pull the *get* back and take possession, it is considered as if he retained a connection with the *get*. The bond is not completely severed; the divorce is not valid. But if the husband is only able to pull the *get* loose from the woman's hand, he has no connection with the *get*. The bond was severed and the divorce is valid.

The *Toras Gittin* argues.⁴ Since the Gemara says only *If the husband is able to tear it out of the woman's hand*, as long as the husband is able to dislodge it, even if he is not able to pull it to himself, the divorce is invalid. Furthermore, even if the husband is not able to dislodge it completely, but he holds enough of the string to enable him to tear the *get*—that is also sufficient to disqualify the divorce.

It seems the *Chiddushei HaRim* and the *Toras Gittin* argue how the halachah

that a divorce requires *kerisus*—a complete separation between husband and wife—relates to the requirement of *nesinah*—giving over the *get*. According to the *Chiddushei HaRim*, the requirement of *kerisus* and that of *nesinah* are separate. When the husband gives the *get*, but continues holding it, the requirement of *nesinah* is complete—he has given the *get*. The problem lies only in the requirement of *kerisus*. Since the husband is still able to pull the *get* back, the bond between them was not completely severed. However, if the husband is only able to tear the *get* or dislodge it, the bond was completely severed and the *get* is valid.

The *Toras Gittin*, however, understands that the requirement of *kerisus* defines the requirement of *nesinah*; *nesinah* is only accomplished when the woman has properly acquired the *get*, and that only happens when the requirement of *kerisus* is satisfied. The requirement of *kerisus* dictates that the woman does not acquire the *get* until she holds it completely and the husband has relinquished his grasp. Even if the husband is only able to dislodge the *get* or tear it, the *nesinah* would be invalid and the woman has not acquired the *get*.

The *Chiddushei HaRim*'s position is that a *get* is invalid when the husband is holding it because the bond between husband and wife was not completely severed. Accordingly, if it was not the husband holding the *get* but a third party (e.g. another person takes hold of the *get* together with the husband, and after the husband relinquishes his grasp, the other man is left holding the *get*), the bond between husband and wife is completely severed and there is no problem with the *kerisus*.

However, according to the *Toras Gittin*'s position (considering that the parameters of acquisition are more stringent regarding *gittin*), perhaps even a third party holding the *get* would invalidate the *nesinah*. However, it is probable that even the *Toras Gittin* agrees that the *nesinah* is only negatively affected when it is the husband holding it. If it is a third party, there is nothing missing from the acquisition.

The Mishnah (*Gittin* 19a) says that a *get* may be written on any form of paper. What if there was a *get* written on magnetic material, and the husband was holding a magnet that would enable him to pull back the *get*? According to the *Toras Gittin*, there is no question that the divorce would be valid. The only problem of the husband's connection is that the woman does not properly acquire the *get* by holding it partially. Here, where she is in complete possession of the *get*, the husband's ability to pull back afterward with a magnet has no bearing on her acquisition.

However, according to the *Chiddushei HaRim*, there is a stand-alone issue that the bond between husband and wife must be completely severed. Perhaps, since the husband retains the possibility of taking back the *get*, the bond was not completely severed, and the divorce should be invalid.⁵ But even according to the *Chiddushei HaRim* it is possible that to invalidate the divorce, the husband would have to retain a physical grasp on the *get*. A magnetic pull would not fill this criterion, and the divorce would be valid.

(מתוך שיעורים בישיבת שפת אמת, מסכת בבא

מציעא תשנ"ו ותשס"א, מס' גיטין תשנ"ט)

⁴ E.H. 138:2 s.v. *einah megureshes*.

⁵ In every case of divorce, there is the possibility that the husband will grab the *get* back from his wife. That obviously would not invalidate the divorce because at the time of the divorce the husband did not retain any part of the *get*. The fact that he grabbed it back afterward has no bearing on the divorce. However, in the case of a magnet, the husband is holding the magnet while he gives the *get* to his wife. This means that at the time of the divorce he retained the ability to retrieve the *get*.

Settling into this World

כִּי תִבְנֶה בַּיִת חָדָשׁ וְעָשִׂיתָ מִעֲקָה לְגִגֶּרְךָ.

When you build a new house, you shall make a fence for your roof (Devarim 22:8).

When a person builds a new house, he settles into the physical world and becomes more attached to *gashmiyus*. The pasuk commands us to construct a fence for our roof.

The Gemara (*Shabbos* 11a) teaches that a city where the roofs of the houses are higher than the roof of the *beis haknesses* will be destroyed. The Gemara makes a point of mentioning the roofs, although it would have been sufficient to mention that the height of the houses should not exceed that of the *beis haknesses*.⁶ A roof symbolizes that which is lifted somewhat above the mundanity of this world.

Similarly, the Gemara (*Pesachim* 85b) speaks of a time when the *chaburah* for each Korban Pesach was so large that each person in the *chaburah* only received one *kezayis* of meat. When they recited Hallel on the roof, it was so loud that it seemed the roof would explode. Here, again, they said Hallel on the

roof—alluding to that which is above the mundane.

Rav Levi Yitzchak of Berditchev points out that the *gematria* of גִּגֶּר is twenty-six, the *gematria* of the *Shem Havayah*. The Torah teaches us how to go up onto the roof, above the mundane of this world. We must establish boundaries and make safeguards. If we make our fences properly, we will reach גִּגֶּר.

Not only does one who builds a house become settled in this physical world, but the Baal HaTanya writes⁷ that the longer a person lives here the more he becomes settled in *Olam Haze*. Over the years, he ate and drank and used his body for physical purposes; it is only natural that he becomes more *Olam Haze*'dig. If we only busy ourselves with physical pursuits, without the proper counterweight of *ruchniyus*, we become imbalanced. In order to balance ourselves, we must make safeguards and fences. This will keep us from sinking in the mundane, and will raise us above, to the roof.

All the safeguards that we have from our fathers and Rebbes are important. Even if

we don't understand the reason for a specific practice, the mere fact that it safeguards us from sinking deeper and deeper into this world is sufficient for it to be important.

May Hashem help us put up safeguards; we should always recognize their importance, and never lose our inner *yiras Shamayim*.

(סעודה שלישית כי תצא תשפ"ד מאמר ג)

If we only busy ourselves with physical pursuits, without the proper counterweight of *ruchniyus*, we become imbalanced. In order to balance ourselves, we must make safeguards and fences.

⁶ See *O.C.* 150:2

⁷ *Perek* 13.